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ATTORNEY FOR DEBTOR

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION**

IN RE:  
Justin Michael Smothermon § Case no. 24-20325-rlj7  
and  
Amber Marie Smothermon § Chapter 7  
Debtor(s). §

**MOTION TO VACATE DISMISSAL AND REINSTATEMENT OF CASE**

COMES NOW, Debtors, Justin Michael Smothermon and Amber Marie Smothermon (hereafter, "Debtors"), and files this Motion For Reconsideration of Order Dismissing Chapter 7 and Reinstatement of Case to file all remaining schedules, including but not limited to, Schedules, Statement of Financial Affairs, Means Test, and any other required schedules so that

Debtor may cure the Order of Dismissal, and in support would show the court as follows:

1. Debtors commenced this case on November 25, 2024, by filing an emergency voluntary petition for relief under Chapter 7. The 341 Meeting is set for January 16, 2025.
2. Debtors filed the Petition, Creditor Mailing Matrix, Exhibit D (Individual Debtor's Statement of Compliance with Credit Counseling Requirement for each Debtor), Certification of Notice to Consumer Debtors Under Section 342(b) of the Bankruptcy Code, Statement of Social Security Number for each Debtor, and Declaration for Electronic Filing of Bankruptcy, on November 25, 2024.
3. The last date to file Debtors' Schedules, Statement of Financial Affairs, and other schedules and to cure the Notice of Deficiency is December 9, 2024.
4. The Debtors', through undersigned counsel, inadvertently failed to file the remainder of the Schedules, Statement of Financial Affairs, Statement of Intention, and any other

required schedules to cure the Notice of Deficiency.

5. On December 11, 2024, this Honorable Court Entered an Order Dismissing Both Debtors without Prejudice.

6. The Debtors' have now filed the Schedules, Statement of Financial Affairs, and other schedules and earnestly wishes to remain in their current Chapter 7 Case, at this time, does not have the financial ability to file another Chapter 7 case.

7. It is in the best interests of the Estate, the Creditors, and the Debtors' that this Chapter 7 case be reinstated.

8. In the interests of the efficiency and economy this case should be reinstated.

WHEREFORE, the Debtor respectfully requests that this Honorable Court grant the Debtor's Motion for Reconsideration of Order Dismissing Chapter 7 and Reinstatement of Case, set this matter for hearing and grant such other and further relief as the Court deems proper and just.

Respectfully submitted,

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/s/ Allen Roy Jones, III  
Allen Roy Jones, III  
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*ATTORNEY FOR DEBTORS*

**CERTIFICATE OF SERVICE**

The undersigned certifies that he has on the date shown below transmitted a true copy of the foregoing document to all parties requesting notice, and all parties in interest, by electronic notification via the court's electronic case filing system or by regular mail on December 11, 2024.

/s/ Allen Roy Jones, III  
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